

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

TONYA M. SIMBER,)	Case No. 4:12CV00034
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
)	
CAROLYN W. COLVIN,)	
)	
Defendant.)	By: Jackson L. Kiser
)	Senior United States District Judge

Before me is the Report and Recommendation of the United States Magistrate Judge [ECF No. 18] recommending that an Order be entered denying the Commissioner of Social Security's Motion for Summary Judgment [ECF. No. 16], granting, in part, the Plaintiff's Motion for Summary Judgment [ECF No. 14], and remanding this case to the Commissioner for further proceedings. The Report and Recommendation was filed on August 8, 2013, from which date the parties had fourteen (14) days to file objections. No objections were filed. Accordingly, it is this day **ADJUDGED** and **ORDERED** that the Report and Recommendation shall be, and hereby is, **ADOPTED** in its entirety. The Commissioner's Motion for Summary Judgment is **DENIED**, the Plaintiff's Motion for Summary Judgment is **GRANTED** in part, and **DENIED** in part, and the case is **REMANDED** to the Commissioner for further proceedings. The clerk is hereby directed to dismiss this case from the docket of the Court.

The Clerk is directed to send a copy of this Order to counsel of record as well as to United States Magistrate Judge B. Waugh Crigler.

ENTERED this 30th day of August, 2013.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE

